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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/829,043	04/21/2004	Michael Gausclmann	ATR-A-121-2P	7417

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EXAMINER	
LIM, SENG HENG	
ART UNIT	**PAPER NUMBER**
4134	

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Please find below and/or attached an Office communication concerning this application or proceeding.

The time period for reply, if any, is set in the attached communication.

Office Action Summary	Application No.	Applicant(s)	
	10/829,043	GAUSELMANN, MICHAEL	
	Examiner	Art Unit	
	Seng H. Lim	3709	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

1)☒ Responsive to communication(s) filed on *21 April 2004*.

2a)☐ This action is **FINAL**. 2b)☒ This action is non-final.

3)☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

4)☒ Claim(s) *1-27* is/are pending in the application.

4a) Of the above claim(s) _____ is/are withdrawn from consideration.

5)☐ Claim(s) _____ is/are allowed.

6)☒ Claim(s) *1-27* is/are rejected.

7)☐ Claim(s) _____ is/are objected to.

8)☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

9)☐ The specification is objected to by the Examiner.

10)☐ The drawing(s) filed on _____ is/are: a)☐ accepted or b)☐ objected to by the Examiner.

Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).

Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).

11)☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

12)☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).

a)☐ All b)☐ Some * c)☐ None of:

1.☐ Certified copies of the priority documents have been received.

2.☐ Certified copies of the priority documents have been received in Application No. _____.

3.☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

1) ☒ Notice of References Cited (PTO-892)
2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
3) ☒ Information Disclosure Statement(s) (PTO/SB/08) Paper No(s)/Mail Date *4/21/04*.
4) ☐ Interview Summary (PTO-413) Paper No(s)/Mail Date. _____.
5) ☐ Notice of Informal Patent Application
6) ☐ Other: _____.

DETAILED ACTION

Claim Rejections - 35 USC § 102

The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

> A person shall be entitled to a patent unless –
> (e) the invention was described in (1) an application for patent, published under section 122(b), by another filed in the United States before the invention by the applicant for patent or (2) a patent granted on an application for patent by another filed in the United States before the invention by the applicant for patent, except that an international application filed under the treaty defined in section 351(a) shall have the effects for purposes of this subsection of an application filed in the United States only if the international application designated the United States and was published under Article 21(2) of such treaty in the English language.

Claims 1-2, 15-17 are rejected under 35 U.S.C. 102(e) as being anticipated by Webb (US 2003/0060265 A1).

Regarding claims 1,2, 15. Webb disclose a method comprising: receiving wagers from a player playing paid games on a first gaming device [0025]; detecting a bonus round initiation signal (111, Fig. 3), [00024]; enabling the player to play N bonus games (i.e. free game bonus round), where N is greater than or equal to 1 [0037]; implicitly determining a base award to the player based on a certain outcome of the bonus games played and multiplying the base award by a random multiplier (Fig. 4) to obtain a multiplied award (122, 124, 126, Fig. 3), [0041]; and granting the multiplied award to the player [0026].

Regarding claim 16. The method wherein determining a base award comprises determining a base award to the player based on displays of symbols across one or more paylines (56) during the bonus games (Fig. 1A).

Regarding claim 17. The method wherein determining a base award comprises granting a jackpot, a portion of a jackpot, a fixed award, a progressive award, or a mystery award to the player (Fig. 3), [0048].

Claims 18, 26, 27 are rejected under 35 U.S.C. 102(e) as being anticipated by Webb (US 2003/0060265 A1).

Regarding claim 18. Webb disclose a machine comprising: a display for displaying paid games to a player (30, Fig. 1A); and at least one processor (38, Fig. 2) for carrying out the following method: detecting a bonus round initiation signal [0037]; enabling the player to play N bonus games (i.e. free game bonus round), where N is greater than or equal to 1 [0037]; implicitly determining a base award to the player based on a certain outcome of the bonus games played and multiplying the base award by a multiplier to obtain a multiplied award (122, 124, 126, Fig. 3), [0041]; and granting the multiplied award to the player [0026].

Regarding claim 26. The machine wherein the machine is a computing device inherently dedicated to gaming.

Regarding claim 27. The machine further comprises an input for receiving a wager (12, Fig. 1A).

Claim Rejections - 35 USC § 103

The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

> (a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negatived by the manner in which the invention was made.

Claims 3, 11 are rejected under 35 U.S.C. 103(a) as being unpatentable over Webb (US 2003/0060265 A1) as applied to claim 1 above, and further in view of Cannon et al (US 2004/0106446 A1).

Webb teaches the basic claimed method as set forth above.

Webb discloses a gaming device with initiation signal of a bonus round game, randomly selecting multiplier to multiply the base award (*which rejects claim 11*) but does not disclose the first gaming device as one of a plurality of eligible gaming devices

playing the bonus games, and wherein the other eligible gaming devices also receive a bonus round initiation signal.

Cannon et al discloses the first gaming device as one of a plurality of eligible gaming devices playing the bonus games, and wherein the other eligible gaming devices also receive a bonus round initiation signal by having jointly playing players participate in the bonus game [0142]. Webb and Cannon et al are analogous art because they are from the same field of endeavor of having a bonus triggering game incorporated into a base game. At the time of invention a person of ordinary skill in the art would have found it obvious to apply Cannon et al's method of having multiple players participate in the bonus round to Webb's gaming device and would have been motivated to do so to create more excitement for the players.

Claims 4-6 are rejected under 35 U.S.C. 103(a) as being unpatentable over Webb (US 2003/0060265 A1) and Cannon et al (US 2004/0106446 A1) as applied to claim 3 above, and further in view of Riendeau et al (US 2002/0082071 A1).

Webb teaches the basic claimed method as set forth above.

Webb discloses multiplying a multiplier to the base award to increase player payoff but does not disclose the multiplier based on the number of players playing the game.

Riendeau et al discloses multiplying the number of players playing the game to the prize value/base award [0026]. Webb and Riendeau et al are analogous art because they are concerned with similar technical difficulty, namely multiplying a factor to a base value/award. At the time of invention a person of ordinary skill in the art would have found it obvious to incorporate Riendeau et al's method of having the number or a fraction of players participating in the game as being one of Webb's multiplier and would have been motivated to do so to increase player's excitement of the game, hence attracts more player to the game.

Claims 7-9, 12, 13 are rejected under 35 U.S.C. 103(a) as being unpatentable over Webb (US 2003/0060265 A1) and Cannon et al (US 2004/0106446 A1) as applied to claim 3 above, and further in view of Updike (US 2002/0155884 A1).

Webb teaches the basic claimed method as set forth above.

Regarding claim 7. Webb discloses multiplying a multiplier to the base award to increase player payoff but does not disclose the multiplier based on the player's ranking.

Updike discloses multiplying a wager amount (*can also be an award*) by the player's assigned rank [0051]. Webb and Updike are analogous art because they are concerned with similar technical difficulty, namely multiplying a factor to a base value/award. At the time of invention a person of ordinary skill in the art would have found it obvious to incorporate Updike 's method of having player's assigned rank as being one of Webb's multiplier and would have been motivated to do so to increase player's excitement of the game, hence attracts more player to the game.

Regarding claim 8, 9, 12, 13. It is implicit that the multiplier is only applied to an award to a player that has won the bonus round (i.e. player with highest ranking or total accumulated awards) because prizes or awards are usually given to winners of most games.

Claims 10, 14 are rejected under 35 U.S.C. 103(a) as being unpatentable over Webb (US 2003/0060265 A1) and Cannon et al (US 2004/0106446 A1) as applied to claim 3 above, and further in view of Hartl et al (US 6,960,134 B2).

Webb teaches the basic claimed method as set forth above.

Webb discloses multiplying a multiplier to the base award to increase player payoff but does not disclose the multiplier being fixed.

Hartl et al discloses the multiplier being fixed (9:3-15). Webb and Hartl et al are analogous art because they are concerned with similar technical difficulty, namely multiplying a factor to a base value/award. At the time of invention a person of ordinary skill in the art would have found it obvious to incorporate Hartl et al's fixed multiplier into

Webb's multiplier and would have been motivated to do so to let players know exactly what multiplier is expected next.

Claims 19, 25 are rejected under 35 U.S.C. 103(a) as being unpatentable over Webb (US 2003/0060265 A1) as applied to claim 18 above, and further in view of Cannon et al (US 2004/0106446 A1).

Webb teaches the basic claimed method as set forth above.

Webb discloses a gaming device with initiation signal of a bonus round game, randomly selecting multiplier to multiply the base award (*which rejects claim 25*) but does not disclose the machine being connected within a system of gaming machines, and wherein other eligible gaming machines within the system of gaming machines also receive a bonus round initiation signal.

Cannon et al discloses the machine being connected within a system/network of gaming machines (Abstract), and wherein other eligible gaming machines within the system of gaming machines also receive a bonus round initiation signal by having jointly playing players participate in the bonus game [0142]. Webb and Cannon et al are analogous art because they are from the same field of endeavor of having a bonus triggering game incorporated into a base game. At the time of invention a person of ordinary skill in the art would have found it obvious to apply Cannon et al's method of having multiple players participate in the bonus round to Webb's gaming device and would have been motivated to do so to create more excitement for the players.

Claim 20 is rejected under 35 U.S.C. 103(a) as being unpatentable over Webb (US 2003/0060265 A1) and Cannon et al (US 2004/0106446 A1) as applied to claim 19 above, and further in view of Riendeau et al (US 2002/0082071 A1).

Webb teaches the basic claimed method as set forth above.

Webb discloses the processor being programmed for multiplying a multiplier to the base award to increase player payoff but does not disclose the multiplier based on the number of players playing the game.

Riendeau et al discloses multiplying the number of players playing the game to the prize value/base award [0026]. Webb and Riendeau et al are analogous art because they are concerned with similar technical difficulty, namely multiplying a factor to a base value/award. At the time of invention a person of ordinary skill in the art would have found it obvious to incorporate Riendeau et al's method of having the number or a fraction of players participating in the game as being one of Webb's multiplier and would have been motivated to do so to increase player's excitement of the game, hence attracts more player to the game.

Claim 21, 22, 23 is rejected under 35 U.S.C. 103(a) as being unpatentable over Webb (US 2003/0060265 A1) and Cannon et al (US 2004/0106446 A1) as applied to claim 19 above, and further in view of Updike (US 2002/0155884 A1).

Webb teaches the basic claimed method as set forth above.

Regarding claim 21. Webb discloses the processor being programmed for multiplying a multiplier to the base award to increase player payoff but does not disclose the multiplier based on the player's ranking.

Updike discloses multiplying a wager amount (*can also be an award*) by the player's assigned rank [0051]. Webb and Updike are analogous art because they are concerned with similar technical difficulty, namely multiplying a factor to a base value/award. At the time of invention a person of ordinary skill in the art would have found it obvious to incorporate Updike 's method of having player's assigned rank as being one of Webb's multiplier and would have been motivated to do so to increase player's excitement of the game, hence attracts more player to the game.

Regarding claim 22, 23. It is implicit that the multiplier is only applied to an award to a player that has won the bonus round (i.e. player with highest ranking or total accumulated awards) because prizes or awards are usually given to winners of most games.

Claim 24 is rejected under 35 U.S.C. 103(a) as being unpatentable over Webb (US 2003/0060265 A1) and Cannon et al (US 2004/0106446 A1) as applied to claim 19 above, and further in view of Hartl et al (US 6,960,134 B2).

Webb teaches the basic claimed method as set forth above.

Webb discloses multiplying a multiplier to the base award to increase player payoff but does not disclose the multiplier being fixed.

Hartl et al discloses the multiplier being fixed (9:3-15). Webb and Hartl et al are analogous art because they are concerned with similar technical difficulty, namely multiplying a factor to a base value/award. At the time of invention a person of ordinary skill in the art would have found it obvious to incorporate Hartl et al's fixed multiplier into Webb's multiplier and would have been motivated to do so to let players know exactly what multiplier is expected next.

The prior art made of record and not relied upon is considered pertinent to applicant's disclosure. Please see attached USPTO form PTO-892.

Correspondence

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Seng H. Lim whose telephone number is 571-270-3301. The examiner can normally be reached on 8:30-6:00, Monday-Friday, alternate Fridays off.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Mark Eashoo can be reached on 571-272-1197. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see http://pair-direct.uspto.gov. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

SHL

August 16, 2007

MARK EASHOO, PH.D.
SUPERVISORY PATENT EXAMINER

20/Aug/07